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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

MAY 06 2002

TECH CENTER 1600/2900

In re Application of:

Kara et al.

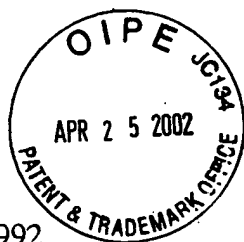
: Group Art Unit: 1641

Serial No.: 09/369,992

: Examiner: J. Grun

Filed: August 6, 1999

For: DIAGNOSIS OF PARASITES



#23/21
5/9/02

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

16 October 2001
Date

B. Kroge
B. Kroge

RESPONSE TO COMMUNICATION WITH NOTICE TO COMPLY WITH
REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID
SEQUENCE DISCLOSURES

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

In response to the Communication mailed September 19, 2001, Applicants respectfully submit a replacement copy of the Sequence Listing in machine-readable form, a paper copy of same, pages 1-21, and a copy of the Communication with attachments. The undersigned, on behalf of Applicants, states that the paper copy of the Sequence Listing filed on July 30, 2001 is the same as the machine-readable form and paper form provided herewith except for the title of the invention which was changed to "Diagnosis of Parasites" in the Preliminary Amendment filed September 15, 1999.

Applicants state on the record that the materials filed July 30, 2001 included the required diskette with the machine-readable copy of the Sequence Listing. A copy of the postcard stamped by the United States Patent and Trademark Office on August 8, 2001 is enclosed herewith, together with photocopies of the materials submitted. There is no indication that any of the listed items were not received by the Patent and Trademark Office.

It is believed that the present submission does not require the payment of any fees under 37 C.F.R. 1.16-1.17 and that no extensions of time are needed. If this is incorrect, however, please charge any fees due under the foregoing Rules to Deposit Account 07-1969 and treat this submission as including a petition for any extension of time required.

Respectfully submitted,



Donna M. Ferber
Reg. No. 33,878

GREENLEE, WINNER AND SULLIVAN, P.C.
5370 Manhattan Circle, Suite 201
Boulder, CO 80303
Telephone (303) 499-8080
Facsimile: (303) 499-8089
Email: winner@greenwin.com

Attorney Docket No. 64-99
bmk: October 16, 2001



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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MAY 06 2002
BOX 5 EEO
TECH CENTER 1600/2900

In re Application of:

Kara et al. : Group Art Unit: 1641

Serial No.: 09/369,992 : Examiner: J. Grun

Filed: August 6, 1999

For: DIAGNOSIS OF PARASITES

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as EXPRESS MAIL in an envelope addressed to the Commissioner for Patents, P.O. Box 2327, Arlington, VA 22202.	
<u>25 April 2002</u> Date	<u>B. Kroge</u> B. Kroge
Express Mail Receipt No. EL 522 188 156 US	

TRANSMITTAL

Commissioner for Patents
U.S. Patent and Trademark Office
P.O. Box 2327
Arlington, VA 22202

Sir:

In response to the telephoned request of the Examiner on April 23, 2002, Applicants provide herewith true copies of papers and the sequence listing diskette filed on October 16, 2001 by first class mail in response to the Communication from the U.S. Patent and Trademark Office of September 19, 2001, with Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures.

Filing of October 16, 2001:

Response to Communication with Notice to Comply with Requirements
for Patent Applications Containing Nucleotide Sequence and/or
Amino Acid Sequence Disclosures
Sequence Listing (paper copy)
Sequence diskette mailer
Office Communication of 9/19/01

Filing of 7/30/01 including:

Receipt postcard stamped by the PTO 8/8/01
Response to Notice to Comply
Sequence Listing
Sequence Diskette mailer
Office Communication of 6/29/01

A copy of the return receipt postcard for the October 16, 2001 filing, stamped by the OIPE on January 17, 2002 is also enclosed.

It is believed that the present submission does not require the payment of any fees under 37 C.F.R. 1.16-1.17 and that no extensions of time are needed. If this is incorrect, however, please charge any fees due under the foregoing Rules to Deposit Account 07-1969 and treat this submission as including a petition for any extension of time required.

Respectfully submitted,



Donna M. Ferber
Reg. No. 33,878

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Attorney Docket No. 64-99
bmk: April 25, 2002



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RECYCLABLE MEDIA MAILER

OPERATING SYSTEM: MS-DOS
PC-DOS

APPLICANT: Kara et al.
TITLE: Diagnosis of Parasites

FILING DATE: August 6, 1999
ATTY. DOCKET: 64-99

*Replacement
Filed 10/16/01*

GREENLEE, WINNER & SULLIVAN, PC
5370 Manhattan Circle, Suite 201
Boulder, CO 80303
(303) 499-8080

CAUTION

SENSITIVE MEDIA ENCLOSED

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OPERATING SYSTEM: MS-DOS
PC-DOS

APPLICANT: Kara et al.
TITLE: Diagnosis of Parasites

Replacement Filed 10/16/01
FILING DATE: August 6, 1999
ATTY. DOCKET: 64-99

GREENLEE, WINNER & SULLIVAN PC
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Boulder, CO 80303
(303) 499-8080



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/369,992 08/06/99 KARA

A 64-99

023713 HM12/0919
GREENLEE WINNER AND SULLIVAN P C
5370 MANHATTAN CIRCLE
SUITE 201
BOULDER CO 80303

EXAMINER

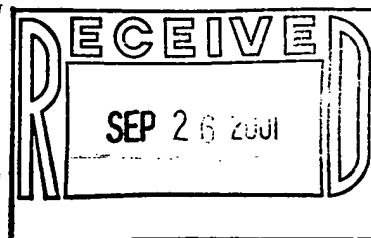
GRUN, I

ART UNIT

PAPER NUMBER

1641

DATE MAILED:



Please find below and/or attached an Office communication concerning this application or proceeding.



Commissioner of Patents and Trademarks

ENTD OCT - 3 2001

DOCKETED

OCT - 2001

Greenlee, Winner, Sullivan

DMF

10/19/01 Respond - Sequence
3/19/02 " - AD

Sequence submitted to PTO

7/30/01

5/14/01

1/12/01

1/11/01



UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.



EXAMINER	
ART UNIT	PAPER NUMBER
	21

DATE MAILED:

Please find below a communication from the EXAMINER in charge of this application

Commissioner of Patents

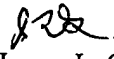
The communication filed on 08 August 2001 is not fully responsive to the communication mailed 29 June 2001 for the reason(s) set forth on the attached Notice to Comply With Requirements For...Sequence Disclosures and/or CRF Diskette Problem Report.

Since the response appears to be bona fide, but through an apparent oversight or inadvertence failed to provide a complete response, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR § 1.136(a).**

Any inquiry concerning this communication should be directed to the examiner, James L. Grun, Ph.D, Technology Center 1600, Group 1640, Art Unit 1641, whose telephone number is (703) 308-3980. The examiner can normally be reached on weekdays from 9 a.m. to 5 p.m. If unable to reach the examiner, Long Le, SPE, can be contacted at (703) 305-3399.

Any questions regarding compliance with the sequence rules requirements specifically should be directed to the departments listed at the bottom of the Notice To Comply.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0196. The above inquiries, or requests to supply missing elements from Office communications, can also be directed to the TC 1600 Customer Service Office at phone numbers (703) 308-0197 or (703) 308-0198.


James L. Grun, Ph.D.
September 14, 2001



CHRISTOPHER L. CHIN
PRIMARY EXAMINER
GROUP 1600-1641

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MAY 06 2002

TECH CENTER 1600-1641

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☐ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations.
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☒ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☒ 7. Other: Applicant's response to the previous "Notice to Comply..." filed 08 August 2001, asserts that a CRF copy of the "Sequence Listing" was filed. However, no disk could be found in the Office.

Applicant Must Provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☐ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

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